

Introduction

Advanced Medical Directives are legal documents written in advance of serious illness or incapacity, which explain your choices about medical treatment and/or name someone to make decisions on your behalf.

After you execute these documents, we recommend that you discuss them with your loved ones and keep them in a safe place. Also, it is recommended to put a copy of the document in your medical file at the MTF.

Active Duty, Retired, and Reserve military members and their Dependents can have these documents drafted free of charge by the Legal Office. At Yokota, this service is also available to DoD employees.

OTHER RESOURCES:

Yokota Legal Office Webpage

<http://www.yokota.af.mil/units/legaloffice/index.asp>

Air Force Legal Assistance Website

<https://aflegalassistance.law.af.mil>

The Mayo Clinic:

<http://www.mayoclinic.com/health/living-wills/HA00014>

Medicinenet.com

http://www.medicinenet.com/advance_medical_directives/article.htm



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HEALTH CARE DIRECTIVES

This Brochure Includes:

- Living Wills
- Power of Attorney for Health Care
- Springing Durable Power of Attorney
- Other Resources



The information in this brochure is of a general nature and is not intended as a substitute for legal counsel.
Last updated May 2014

Living Wills

A Living Will is a document which instructs your physician to withhold or withdraw life-sustaining procedures if you become terminally ill, are in a coma, or are in a persistent vegetative state, AND you have no reasonable likelihood of recovery. "Life-sustaining treatment" means the use of available medical machinery and techniques, such as heart-lung machines, ventilators, and other medical equipment and techniques that will sustain and possibly extend your life, but which will not by themselves cure your condition. The living will is beneficial because it allows you to make that decision ahead of time and prevents your family from ever having to make that painful decision for you.

Living wills do not create power for a medical professional to deny you pain medications and other treatments that would relieve pain or otherwise make you more comfortable. Living wills do not determine your medical treatment in situations that do not affect your continued life, such as routine medical treatment and non life-threatening medical conditions.

In all states the determination as to whether or not you are in such a medical condition is determined by medical professionals, usually your attending physician and at least one other medical doctor who has examined you and/or reviewed your medical situation. Most states permit you to include other medical directions that you wish your physicians to be aware of regarding the types of treatment you do or do not wish to receive.

Will to Live

A Will to Live has the opposite effect of a Living Will. It dictates that medical care should continue to be provided regardless of your age, physical or mental disabilities, and without considering your quality of life. It rejects any action that could cause or hasten death.



Medical Directive

A Durable Power of Attorney For Health Care, or Medical Directive, is a document in which you name another person (your agent) to make medical decisions for you, if you become unable to make medical decisions yourself.

If you ever reach the point where a doctor determines you have no reasonable likelihood of recovery and all treatment is simply to sustain life and not to cure, then at that point, a Living Will takes precedence over a Durable Power of Attorney for Health Care.

Springing Durable Power of Attorney

A Springing Durable Power of Attorney allows you to designate in advance a person (agent) to handle your personal affairs, such as finances, in the event you become incapacitated. This document can dictate the powers your agent has over your affairs and limit or expand the scope of their agency. Without this document, a court would be required to grant this power to a person the court designates.

The SDPOA does not go into effect until the person is incapacitated, and an affidavit is signed attesting to the incapacity of the grantor; basically, it springs into effect at the time you become incapacitated. As with the living will, medical professionals will make the initial determination as to whether or not you have the capacity to make your own decisions.

SDPOA can also be made to spring into effect in the event the maker becomes a POW.

Drafting Your Healthcare Documents

All of the above named documents can be drafted at the base legal office free of charge. Call the base legal office to schedule an appointment and visit the Air Force Legal Assistance Website for more information.